

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2005-180-E - ORDER NO. 2005-390
JULY 22, 2005

IN RE: South Carolina Electric & Gas Company,)	ORDER APPOINTING
)	HEARING OFFICER
Complainant,)	
)	
vs.)	
)	
Aiken Electric Cooperative, Inc.,)	
)	
Defendant.)	
_____)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Commission's Motion to appoint Mr. Jeffrey M. Nelson, Esquire, to serve as a hearing officer in the instant docket regarding the Complaint filed by South Carolina Electric & Gas Company (SCE&G) against Aiken Electric Cooperative, Inc. (Aiken Electric). This appointment is in order that the hearing officer may dispose of procedural and evidentiary matters pursuant to S.C. Code Ann. Section 58-3-40 (Supp. 2004). The Motion is granted.

Section 58-3-40(C)(1) states that upon the request of any party or any commissioner, the commission may employ a hearing officer who may hear and determine procedural motions or other matters not determinative of the merits of the proceedings. Under (C)(2), the hearing officer has full authority, subject to being overruled by the commission, to rule on questions concerning the conduct of the case and

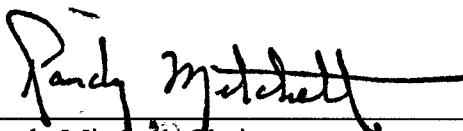
other matters. Under (C)(3), the officer must be an attorney qualified to practice in all courts of this State with a minimum of eight years' practice experience.

We find that Mr. Jeffrey M. Nelson meets this qualification, and we therefore grant the Motion appointing him as hearing officer in this case.

On July 8, 2005, Aiken Electric filed with the Commission a Motion to Vacate, Modify and/or Reconsider the Commission's Order to Consolidate¹. As hearing officer in this proceeding, we direct Mr. Nelson to rule on Aiken Electric's Motion to Vacate, Modify and/or Reconsider the Commission's Order to Consolidate filed in the present docket.

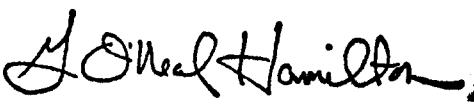
This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Randy Mitchell, Chairman

ATTEST:



G. O'Neal Hamilton, Vice Chairman

(SEAL)

¹ On July 7, 2005, the Commission issued Order No. 2005-360, "Order Granting Motion for Consolidation of Dockets", in Docket Nos. 2003-254-E and 2005-180-E.